

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Oppenheim Kapitalanlagegesellschaft mbH,)
ERSTE-SPARINVEST Kapitalanlagegesellschaft)
m.b.H.,)
Oppenheim Asset Management Services S.à r.l.,)
Union Asset Management Holding AG,)
INDEXCHANGE Investment AG,)
SEB Investment Management AB,)
Raiffeisen Kapitalanlage-Gesellschaft m. b. H.,)
Pioneer Investments Kapitalanlagegesellschaft)
mbH,)
Pioneer Investments Austria GmbH,)
LRI Landesbank Rheinland-Pfalz International)
S.A.,)
Landesbank Berlin Investment GmbH,)
Deutsche Asset Management)
Investmentgesellschaft mbH,)
DWS Investment GmbH,)
Skandia Insurance Company Ltd., and)
Fortis Investment Management SA,)
)
Plaintiffs,)
)
v.)
)
VIVENDI UNIVERSAL, S.A., JEAN MARIE)
MESSIER, and GUILLAUME HANNEZO,)
)
Defendants.)

CIVIL ACTION NO.: 1:07-cv-8830
[Related to Civil Action No.
1:02-cv-05571-RJH-HBP]

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**NOTICE OF DISMISSAL AS TO PLAINTIFF PIONEER INVESTMENTS AUSTRIA
GmbH (f/k/a CAPITAL INVEST)**

Pursuant to Fed. R. Civ. P. 41(a)(1),¹ Plaintiff Pioneer Investments Austria GmbH (f/k/a Capital Invest) hereby submits its notice of dismissal without prejudice of its claims in the

¹ This Notice of Dismissal is also filed in accordance with the Court's Order filed April 10, 2008 in Case No. 02 Civ. 5571 (Doc. #472), in which the Court granted therein individual plaintiff status to Pioneer Investments Austria GmbH (f/k/a Capital Invest).

above-captioned matter as against all Defendants.

Date: June 6, 2008

/s/ William H. Narwold
William H. Narwold (WN-1713)
Motley Rice LLC
One Corporate Center
20 Church Street, 17th Floor
Hartford, CT 06103
Telephone: (860) 882-1676
Facsimile: (860) 882-1682
*Attorneys for the Plaintiff PIONEER
INVESTMENTS AUSTRIA GmbH (f/k/a
CAPITAL INVEST)*

Of Counsel:

Joseph F. Rice
Ann K. Ritter
Motley Rice LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29465
Telephone: (843) 216-9000
Facsimile: (843) 216-9450

and

Leslie M. Kelleher (LMK-5943)
Caplin & Drysdale, Chartered
375 Park Avenue, 35 Floor
New York, NY 10152-3500
Telephone: (212) 319-7125
Facsimile: (212) 644-6755
Attorneys for the Plaintiff

Of Counsel:

Nathan D. Finch
Kevin C. Maclay
Caplin & Drysdale, Chartered
One Thomas Circle, N.W.
Suite 1100
Washington, D.C. 20005
Telephone: (212) 319-7125
Facsimile: (212) 644-6755

Certificate of Service

I hereby certify that on this 6th day of June, 2008, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

/s/ William H. Narwold

William H. Narwold (WN-1713)

Motley Rice LLC

One Corporate Center

20 Church Street, 17th Floor

Hartford, CT 06103

Telephone: (860) 882-1676

Facsimile: (860) 882-1682

Email: bnarwold@motleyrice.com